

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Patricia Bellamy, Doug Hefner,  
and Nicole Kenion

Plaintiff,

v.

David Meachem, Susan Ash, Kim  
Bannister, Larry Knightner,  
Michael Williams, Charlene Taylor,  
Council Woman Josephine Isom,  
Jake Evans, William Booker, Gary Bell,  
Rodger Brown, Dorothy Floyd,  
Mary Frances Hill, Patricia Mallet  
and Alice Graham,

Defendants.

C.A. No. 4:11-CV-0058-JMC

**ORDER**

This matter is before the court on the Magistrate Judge's Report and Recommendation [Doc. 78]. Plaintiffs were all *pro se* at the time of the Report and Recommendation. The Magistrate Judges' Report and Recommendation, filed on October 17, 2011, recommends that this case, based on Plaintiffs' Petition for injunctive relief relevant to their residence within Housing Authority property in Atlantic Beach [Doc. 1], be dismissed in its entirety. The Report and Recommendation sets forth in detail the relevant facts and legal standards on this matter, and the court incorporates the Magistrate Judge's recommendation herein without a recitation.

The Magistrate Judge's Report and Recommendation is made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 for the District of South Carolina. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court.

*See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objections are made, and the court may accept, reject, or modify, in whole or in part, the Magistrate Judge's recommendation or recommit the matter with instructions. *See* 28 U.S.C. § 636(b)(1).

Plaintiffs were advised of their right to file objections to the Report and Recommendation [Doc. 78-1]. However, Plaintiffs filed no objections to the Report and Recommendation within the prescribed time limits.

In the absence of objections to the Magistrate Judge's Report and Recommendation, this court is not required to provide an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, "in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'" *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed.R.Civ.P. 72 advisory committee's note). Furthermore, failure to file specific written objections to the Report and Recommendation results in a party's waiver of the right to appeal from the judgment of the District Court based upon such recommendation. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984).

After a thorough review of the Report and Recommendation and the record in this case, the court adopts the Magistrate Judge's Report and Recommendation and incorporates it herein. It is therefore **ORDERED** that Plaintiffs' Petition is hereby **DISMISSED** in its entirety.

**IT IS SO ORDERED.**

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

Greenville, South Carolina  
November 7, 2011